

Article - Public Utilities

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§5–410.

(a) This section applies to:

- (1) a telegraph company that has its principal office in the State;
- (2) a telephone company that has its principal office in the State;
- (3) a corporation formed as a Class 13 corporation under Article 23, § 28 of the Code of 1904; and
- (4) a telephone company that owns lines and provides local exchange or interexchange service in the State with the approval of the Commission.

(b) A company described in subsection (a) of this section has the same power granted to telegraph and telephone companies by §§ 8-103, 8-104, 8-105, and 8-106(a) of this article and may:

(1) construct and lay lines underground or above ground on any route for which it is authorized to construct lines as a whole or in part; and

(2) except as provided in subsection (d) of this section, acquire by condemnation, in accordance with Title 12 of the Real Property Article, any property or right that the company considers necessary for its purposes.

(c) (1) Before using either the surface of or the ground beneath the streets or highways of Baltimore City, the company shall obtain the consent of the Mayor and City Council.

(2) This subsection does not apply to corporations that were in practical operation on June 1, 1910, and that had laid or constructed lines, pipes, mains, or other structures in Baltimore City, unless the corporations use new and additional streets and highways in Baltimore City for their lines, pipes, mains, or other structures.

(d) This section does not authorize a telephone company described in subsection (a)(4) of this section that, as of September 30, 1993, did not have the power of condemnation granted to a telegraph company under §§ 8-103, 8-104, 8-105, and 8-106(a) of this article, to acquire property for communications towers or buildings.

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